

Court of Appeals, State of Michigan

ORDER

IN RE HELEN D. EWBANK TRUST

Docket Nos. 258380

LC Nos. 01-001032-TT

Janet T. Neff
Presiding Judge

David H. Sawyer

Richard A. Bandstra
Judges

The Court orders that the motion to dismiss pursuant to MCR 7.211(C)(2) is GRANTED for the reason that the appeal is not within the Court of Appeals jurisdiction because the probate court's September 17, 2004, order is not a final order. This motion is granted without prejudice to renewal after a final order has been entered.

Judge Sawyer would deny the motion to dismiss.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 17 2005

Date

Sandra Schultz Mengel
Chief Clerk